

Remarks

Claims 1-17 are pending.

Claims 12-17 are withdrawn.

Claims 1-11 are under consideration.

Claim 1 is rejected under 35 USC 102(b) as being anticipated by WO 00/71501.

Applicants note that WO 00/71501 is equivalent to Guerret, et al., U.S. Pat. No. 6,657,043.

Applicants respectfully rebut this rejection.

The Examiner points to pages 8-15 of WO '501. This corresponds to column 5 through column 10 of the Guerret patent.

The nitroxides of Guerret, for example of col. 5 therein, are mono-functional and are reacted with for example a bis halide as in Example 1 in col. 10. A discrete dialkoxyamine is the result.

The present nitroxides of step a) are di-functional, that is they contain both a halogen or SCN leaving group and a nitroxyl group. The reaction results in a polymeric alkoxyamine. That is, a polymer with alkoxyamine repeating units as in present claim 13.

The present nitroxides of step b) are di-functional in that they contain two nitroxide moieties. When reacted with a di-functional halide or -SCN compound of formula (C) a polymeric alkoxyamine results.

The present nitroxides of step c) are tri- to hexa-functional (n is 3 to 6). When reacted with a tri- to hexa- substituted halogen containing or -SCN containing compound of formula (E), again a polymeric alkoxyamine results.

The reaction products of Guerret are discrete compounds and are not polymeric. There is no overlap of the present nitroxides with those of Guerret.

Applicants submit that this 35 USC 102(b) rejection is addressed and is overcome.

Claims 1-11 are rejected under 35 USC 103(a) as being unpatentable over WO 0238618 or WO 0061544 or Moffat, U.S. Pat. No. 5,498,679 or Chem Abstracts 137:295596 or 136:169419 or 133:309685.

Applicants note the following:

WO 238618 is equivalent to Scherer, et al., U.S. Pat. No. 6,639,029.

WO 0061544 is equivalent to Couturier, et al., U.S. Pat. No. 6,495,720.

CA 137:295596 is the citation for Pastor, et al., U.S. Pat. No. 6,547,841.

CA 136:169419 is the citation for Couterier, et al., U.S. Pat. No. 6,700,007.

CA 133:309685 is the citation for Couterier, et al., U.S. Pat. No. 6,495,720.

Applicants respectfully rebut these rejections.

Scherer appears to not at all disclose the preparation of alkoxyamines.

Couturier '720 teaches the preparation of discrete alkoxyamines and not polymeric alkoxyamines.

Moffat likewise teaches the preparation of discrete alkoxyamines. See for instance col. 7 where a mono-functional nitroxide is reacted with a di-halide. Moffat then employs the alkoxyamines to initiate polymerization of for instance styrene (Example 1). The polystyrene will have an alkoxyamine end group.

Pastor teaches a completely different process from the present one. Pastor teaches the preparation of alkoxyamines by the reaction of nitroxide compounds with diazonium salts. Polymers are not formed.

Couturier '007 contains a similar disclosure to that of Couturier '720. Polymeric alkoxyamines are not disclosed.

The limitations of the present claims are not met by the disclosure of the cited references. The disclosures do not at all disclose the preparation of polymers with alkoxyamine repeating units.

In view of these remarks, Applicants submit that the 35 USC 103(a) rejections are addressed and are overcome.

In view of all of the above, Applicants submit that each of the claim rejections are obviated.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,



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